



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/389,915	09/03/1999	LAWRENCE LAM	APL1P193/P23	6044

22434 7590 06-04-2003

BEYER WEAVER & THOMAS LLP
P.O. BOX 778
BERKELEY, CA 94704-0778

EXAMINER

CHANG, YEAN HSI

ART UNIT	PAPER NUMBER
----------	--------------

2835

DATE MAILED: 06/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/389,915

Applicant(s)

LAM ET AL.

Examiner

Yean-Hsi Chang

Art Unit

2835

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 April 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-49,81-105 and 109-119 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 28-30 and 109-113 is/are allowed.
- 6) ☒ Claim(s) 1-11, 14-27, 31-49, 81, 82, 86-105, 114-116, 118 and 119 is/are rejected.
- 7) ☒ Claim(s) 12, 13, 83-85 and 117 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 September 1999 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 27 September 2001 is: a) ☒ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>12 & 14</u> . | 6) <input type="checkbox"/> Other. |

DETAILED ACTION

Continued Prosecution Application

1. The request filed on 9 April 2002 for a Continued Prosecution Application (CPA) under 37 CFR 1.53(d) based on parent Application No. 09/389,915 is acceptable and a CPA has been established. An action on the CPA follows.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "a light panel" in claims 1, 19, and 28 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Objections

3. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When

Art Unit: 2835

claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Misnumbered claims 115-118 have been renumbered 116-119.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 19, 39 and 100-101 are rejected under 35 U.S.C. 102(b) as being anticipated by Bejin (US 5,406,729).

Bejin teaches a display apparatus (20 fig. 1) comprising:

- a light source (24, fig. 4)
- a frame (30 and 35, fig. 4) supporting the light source
- a housing (21, fig. 1) having a translucent portion (22, fig. 1)
- a cosmetic shield (43, fig. 4)

6. Claims 31, 33-34, and 103-105 are rejected under 35 U.S.C. 102(b) as being anticipated by Ohgami et al. (US 5,689,400).

Ohgami teaches a portable computer (1, fig. 1) comprising:

- a hinge (177, fig. 7)

Art Unit: 2835

- a housing (not numbered) having a base portion (2, fig. 1) including a processor (not numbered, fig. 3), and a display portion (162, fig. 1) attached to the base portion by the hinge
- the display portion including at least a flat panel display (163, fig. 1), a frame (164, fig. 1), and an outer shell (165, fig. 1) attached to the frame
- the flat display panel is a Liquid Crystal Display (LCD) panel (see col. 16, lines 30-33)

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 2-3, 5-9, 14-18, 20-26, 40-49, 96-99, 102 and 115 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis et al. (US 5,422,751) in view of Bejin.

Lewis teaches a display apparatus (50, fig. 5) comprising:

- a Liquid Crystal Display (LCD) panel (66, fig. 5)
- a light diffuser (73, fig. 5)
- a metal frame (69, fig. 5)
- a housing (77, fig. 5)
- an EMI shield (64, fig. 5) having a plurality of openings (not numbered)

- screws (not numbered) affixing the frame to the housing

Lewis FAILS to disclose substantial portions of the housing being translucent and formed from polycarbonate material, and a cosmetic shield having predetermined design (a symbol or a logo).

Bejin teaches a display apparatus housing having including translucent portions, and a cosmetic shield with a predetermined design.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the apparatus of Lewis with the housing and cosmetic shield taught by Bejin so that the apparatus will have a logo showing on the housing like most merchandise do.

9. Claims 81-82, 86-95 and 116 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ohgami et al. in view of Bejin.

Ohgami discloses the claimed invention except the display unit including a light source, a frame (30 and 35, fig. 4) supporting the light source, a housing having a translucent portion and a cosmetic shield.

Bejin teaches a display unit including a light source (24, fig. 4), a frame (30 and 35, fig. 4) supporting the light source, a housing (21, fig. 1) having a translucent portion (22, fig. 1), and a cosmetic shield (43, fig. 4).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the display unit of Ohgami with the display unit taught by Bejin such that a logo can be shown on the display unit housing.

10. Claims 32, and 36-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ohgami et al. in view of Lewis et al.

Ohgami discloses the claimed invention except a metal frame for the LCD panel and an EMI shield for the display apparatus.

Lewis teaches a display apparatus (50, fig. 5) comprising a metal frame (69, fig. 5) an Electro Magnetic Interference (EMI) shield (64, fig. 5) having a plurality of openings (not numbered).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the display portion of the computer of Ohgami with the metal frame and EMI shield taught by Lewis such that the electromagnetic interference can be reduced or eliminated (see col. 2, lines3-5).

11. Claims 4, 10-11, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis et al. in view of Bejin.

Lewis in view of Bejin discloses the invention except specifically indicating the portions of the housing being made from a polycarbonate plastic material.

It would also been obvious to one having ordinary skill in the art at the time the invention was made to have portions of the housing made from a polycarbonate plastic material, since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of

Art Unit: 2835

design choice for the purpose of having a housing with translucent portions such that the logo design inside the housing can be seen from outside. See MPEP §2144.07.

12. Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ohgami et al. in view of Lewis et al.

Ohgami in view of Lewis discloses the claimed invention except for the portions of the housing made from a polycarbonate plastic material.

It would also been obvious to one having ordinary skill in the art at the time the invention was made to have portions of the housing made from a polycarbonate plastic material, since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of design choice for the purpose of having a housing with translucent portions such that the logo design inside the housing can be seen from outside. See MPEP §2144.07.

13. Claims 118-119 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ohgami et al. in view of Bejin, further in view of Erler et al. (US 5,706,168).

Ohgami et al. in view of Bejin discloses the claimed invention except an antenna being enclosed in the housing.

Erler teaches a display apparatus (20, fig. 8) for a portable computer (10, fig. 6) comprising an antenna (78, fig. 8) being enclosed in a housing (16, figs. 8 and 9) for radio communications.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the device of Ohgami modified by Bejin with the antenna taught by Erler for radio communications.

Allowable Subject Matter

14. Claims 28-30 and 109-113 are allowed.

15. Claims 12-13, 83-85 and 117 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The best prior art of record, Lewis et al. (US 5,422,751), Bejin (US 5,406,729), Ohgami et al. (US 5,689,400), and Erler et al. (US 5,706,168), taken alone or in combination fails to teach or fairly suggest a display apparatus comprising: a frame attached to a peripheral portion of a housing using a plurality of tongues formed on the upper peripheral portion of said housing as set forth in claims 12-13; and a portable computer comprising: a display unit including a cosmetic shield disposed between the flat panel display and the outer shell of a housing, said cosmetic shield including a reflective surface positioned towards said flat panel display, and a mask opening for allowing the light passing through the mask opening illuminating a portion of outer shell as set forth in claims 83-85 and 109-113, and the method for illuminating in a translucent housing as set forth in claims 28-30; and the display unit further including a

foam stiffener provided internal to the housing so as to substantially fill unused space internal to the housing as set forth in claim 117.

Response to Arguments

16. Applicant's arguments filed 25 Feb. 2002 and 9 April 2002 have been fully considered but they are not persuasive.

Applicant argues that ' (A)n "LCD panel" is a type of "light panel", i.e., the term "light panel" is generic to "LCD panel" just like the term "light source" is generic to "LCD panel" '. It is hard for the Examiner to agree with this statement, since LCD panels, like the LCD panel 66 shown in fig. 5 of Lewis et al. (US 5,422,751). The LCD panel, and the combination of backlighting panel and fluorescent light fixture 73 shown in fig. 5, both are components of a LCD assembly 50. The light source of the LCD assembly, or sometimes called a flat panel display, is the backlighting panel of 73. The terminology "light panel" is not discussed anywhere in the specification. If the Applicant is interested in using the "light panel" for an "LCD panel", it would be acceptable if it is defined clearly in the specification.

Regarding reference Bejin, applicant argues that "Bejin is directed at an illuminated advertising display for continuously exhibiting consumer products while Lewis and Ohgami are directed at portable computers." As far as advertising a consumer product is concerned, portable computers are also consumer products.

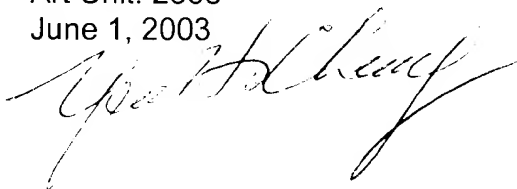
Correspondence

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yean-Hsi Chang whose telephone number is (703) 306-5798. The examiner can normally be reached on 07:30-16:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on (703) 308-4815. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3431 for regular communications and for After Final communications. There are RightFAX numbers and provide the fax sender with an auto-reply fax verifying receipt by the USPTO: Before-Final (703-872-9318) and After-Final (703-872-9319).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 305-8558.

Yean-Hsi Chang
Patent Examiner
Art Unit: 2835
June 1, 2003

A handwritten signature in cursive script, appearing to read 'Yean-Hsi Chang', is written over the typed name and date.